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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 JENNIFER R. MAYFIELD,

10 *Petitioner,*

11 vs.

12 STATE OF NEVADA, *et al.*,

13 *Respondents.*
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2:13-cv-01660-GMN-CWH

ORDER

15 Petitioner has submitted an application (#2) to proceed *in forma pauperis*, a Notice of Appeal
16 (#1) and a motion for appointment of counsel (#3).

17 The matter has not been properly commenced because the pauper application does not include
18 a signed verification and because the “Notice of Appeal” is inadequate to identify the matter she wishes
19 to appeal or to allow the Court understand the nature of the claims she may have.

20 Under 28 U.S.C. § 1257, the Supreme Court has jurisdiction to review certain state court
21 decisions. Under the *Rooker-Feldman* doctrine, the lower federal courts do not have this authority. *See*
22 *Dist. of Columbia, Crt. of Appeals v. Feldman*, 460 U.S. 462, 476, 103 S.Ct. 1303 (1983); *Rooker v.*
23 *Fidelity Trust Co.*, 263 U.S. 413, 416, 44 S.Ct. 149 (1923). The federal district court does have
24 jurisdiction to hear claims arising from a state court criminal proceeding or conviction under 28 U.S.C.
25 § 2254, which provides that the federal court may entertain a petition for writ of habeas corpus from
26 a state prisoner who claims that their conviction or sentence violates the “Constitution or laws or
27 treaties of the United States.” *Id.*

28 The documents before the Court offer no suggestion of the nature of the claims petitioner wishes

1 to bring or the basis for this Court's jurisdiction. Because of these deficiencies, the pauper application
2 therefore will be denied, and the present action will be dismissed without prejudice to the filing of a
3 new action with a complete and verified pauper application and a proper petition setting forth the nature
4 of petitioner's claims related to her state court criminal conviction or sentence.

5 IT THEREFORE IS ORDERED that the application (#2) to proceed *in forma pauperis* is
6 DENIED and that this action shall be DISMISSED without prejudice.

7 IT IS FURTHER ORDERED that the motion for appointment of counsel (#3) is DENIED.

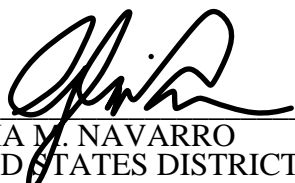
8 IT FURTHER IS ORDERED that a certificate of appealability is DENIED, as jurists of reason
9 would not find the Court's dismissal of this improperly commenced action without prejudice to be
10 debatable or incorrect.

11 IT FURTHER IS ORDERED that the Clerk shall send petitioner two copies each of an
12 application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section 2254
13 habeas petition form, one copy of the instructions for each form, and a copy of the papers that he
14 submitted in this action.

15 The Clerk of Court shall enter final judgment accordingly in favor of respondents and against
16 petitioner, dismissing this action without prejudice.

17 DATED: October 11, 2013

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GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE